



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant: CONRAD ET AL. Examiner: UNKNOWN  
Serial No.: 10/698,819 Group Art Unit: 3736  
Filed: OCTOBER 31, 2003 Docket: 13033.12US01  
Confirmation No.: 5410  
Title: AIRWAY IMPLANT

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 31, 2005.

By: 

Name: KATE GANNON

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**23552**

PATENT TRADEMARK OFFICE

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Supplemental Information Disclosure Statement, Form 1449
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

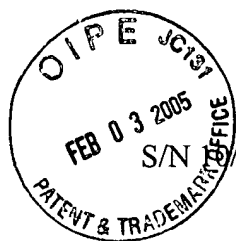
MERCHANT & GOULD P.C.  
P.O. Box 2903, Minneapolis, MN 55402-0903  
612.332.5300

By: 

Name: Timothy R. Conrad

Reg. No.: 30,164

TConrad:PLSklg



S/N 10/698,819

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	CONRAD ET AL.	Examiner:	UNKNOWN
Serial No.:	10/698,819	Group Art Unit:	3736
Filed:	OCTOBER 31, 2003	Docket No.:	13033.12US01
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By: 

Name: KATE GANNON

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))**

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

Because this application was filed after June 30, 2003, copies of the U.S. Patents and U.S. patent publications listed on the enclosed Form 1449 are not provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked

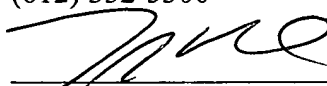
as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

Date: 4/31/05

  
\_\_\_\_\_  
Timothy R. Conrad  
Reg. No. 30,164  
TRC:PLSklg

**23552**

PATENT TRADEMARK OFFICE

<b>FORM 1449</b> <b>INFORMATION DISCLOSURE STATEMENT</b> <b>IN AN APPLICATION</b> (Use several sheets if necessary)	Docket Number: 13033.12US01	Application Number: 10/698,819
	Applicant: CONRAD ET AL.	
	Filing Date: 10/31/2003	Group Art Unit: 3736

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,979,456	11/09/1999	Magovern			
	6,216,702 B1	04/17/2001	Gjersøe			
	2002/0049479 A1	04/25/2002	Pitts			
	2004/0045556 A1	03/11/2004	Nelson et al.			
	6,748,950 B2	06/15/2004	Clark et al.			
	2004/0134491 A1	07/15/2004	Pflueger et al.			
	2004/0139975 A1	07/22/2004	Nelson et al.			
	2004/0149290 A1	08/05/2004	Nelson et al.			
	2004/0153127 A1	08/05/2004	Gordon et al.			

**FOREIGN PATENT DOCUMENTS**

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**


**23552**

PATENT TRADEMARK OFFICE

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	